

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-10 SAJ-01 ACDA-05 CIAE-00 DODE-00

PM-03 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 CU-02 BIB-01 OMB-01 EURE-00 /078 W

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P R 131710Z JUN 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0745

INFO AMEMBASSY BERLIN

USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 09577

E.O. 11652: GDS

TAGS: PFOR, UN, US, UR, FR, UK, WB, GW

SUBJECT: SOVIET RESPONSE TO ALLIED STATEMENT ON BERLIN
AND DEMOGRAPHIC YEARBOOK.

REF: A) BONN 8026; B) USUN 1605

SUMMARY: BONN GROUP REACHED AD REF AGREEMENT ON REPLY TO
SOVIET MAY 12 LETTER IN UN ON DEMOGRAPHIC YEARBOOK. MAIN
OBJECT OF DRAFT IS TO END EXCHANGE BUT TO PROTECT ALLIED
LEGAL POSITION WITH RESPECT TO BERLIN. END SUMMARY.

1. IN MEETING JUNE 12, BONN GROUP REACHED AD REF AGREE-
MENT FOR RECOMMENDATION TO AUTHORITIES ON REPLY TO
SOVIET MAY 12 LETTER TO UN SEC GEN ON DEMOGRAPHIC YEAR-
BOOK. OBJECTIVE OF REPLY IS TO PROTECT ALLIED LEGAL
POSITION ON BERLIN BUT IN SUCH A WAY AS TO MAKE IT VERY
DIFFICULT FOR THE SOVIETS TO CONTINUE THE EXCHANGE. DRAFT
(GIVEN BELOW IN PARAGRAPH 4) THUS SIMPLY NOTES THAT THE
ALLIES DO NOT ACCEPT THE SOVIET ASSERTIONS CONTAINED IN
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THEIR MAY 12 LETTER, AND REAFFIRMS ALLIED POINTS MADE IN

THEIR APRIL 14 LETTER. FORMER POINT IS THOUGHT BY BONN GROUP REPS TO BE PARTICULARLY NECESSARY IN VIEW OF THEORY PUT FORTH BY FRENCH REP REGARDING CONNECTION BETWEEN DEMOGRAPHIC YEARBOOK DISPUTE AND CSCE. THE FRENCH REP TOLD OTHERS THAT THERE APPEARS TO BE A SOVIET EFFORT, IN MAKING SUCH A CLEAR STATEMENT FOR THE RECORD AS ITS MAY 12 LETTER, TO BUILD A CASE WHICH WOULD SUPPORT FUTURE CLAIMS THAT ANY CSCE DISCLAIMER ON QRR IS NOT APPLICABLE TO ALLIED CLAIMS WITH RESPECT TO WEST BERLIN. IF THE SOVIET MAY 12 LETTER IS ALLOWED TO BE THE LAST PUBLIC STATEMENT ON ALLIED RIGHTS REGARDING BERLIN PRIOR TO THE CONCLUSION OF CSCE, THE WAY WOULD APPEAR TO BE OPEN FOR ASSERTIONS AT ANY TIME IN THE FUTURE THAT THE SITUATION WAS FROZEN AS OF THE CSCE QRR DISCLAIMER, AND THE SOVIET VIEW WOULD THUS APPEAR VALID SINCE IT HAD NOT BEEN CHALLENGED BY THE THREE ALLIES. THE FRENCH REP CITED RECENT BILATERAL SOVIET SUGGESTIONS THAT EVERYTHING SHOULD GET BACK TO NORMAL, NOW THAT THE RECENT SHARP EXCHANGES ON BERLIN HAVE ENDED, AS SUPPORTIVE OF THE THESIS THAT THE SOVIETS HOPE WE WILL LET THEM HAVE THE LAST WORD.

2. ANALYSIS OF THE SOVIET NOTE OF MAY 12 INDICATES THAT, ASIDE FROM A SOMEWHAT SHARPER TONE, IT CONTAINS TWO POINTS NEW TO THIS PARTICULAR EXCHANGE: THE CLAIM THAT EAST BERLIN HAS "EXACTLY THE SAME LEGAL STATUS" AS ANY OTHER PART OF THE TERRITORY OF THE GDR, AND THE ASSERTION THAT THE THREE WESTERN ALLIES DO NOT HAVE, AND NEVER DID HAVE, ANY ORIGINAL, NON-TREATY RIGHTS OVER BERLIN. WE HAVE NOT DISCOVERED ANY PRECEDENT FOR THE FORMER CLAIM. THE LATTER WAS, OF COURSE, USED FREQUENTLY UNTIL 1958 BUT HAS NOT SO FAR AS BONN GROUP REPS ARE AWARE BEEN FORMALLY PRESSED SINCE KHRUSHCHEV BACKED AWAY FROM IT IN 1959. IN ITS SEVERAL SESSIONS ON HOW TO RESPOND TO THE SOVIET NOTE, THE BONN GROUP CONSIDERED VARIOUS DRAFTS, RANGING FROM A SIMPLE ACKNOWLEDGEMENT OF THE SOVIET NOTE AND REAFFIRMATION OF THE LAST ALLIED LETTER TO A LENGTHY CITATION OF SOURCES TO REBUT THE SOVIET POSITION ON ORIGINAL RIGHTS PLUS EVIDENCE OF THE DIFFERENCES IN STATUS BETWEEN EAST
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BERLIN AND THE GDR, INCLUDING THE NATURE OF THE CONTINUING EXERCISE OF ALLIED RIGHTS IN GREATER BERLIN.

3. IN THE END, REPS AGREED OUR REPLY SHOULD BE ISSUED PROMPTLY, BEFORE THE END OF CSCE-II, AND THAT IT SHOULD LEAVE NO DOUBT ON THE PUBLIC RECORD AS TO OUR REJECTION OF THE SOVIET POSITION ON THE LEGAL STATUS OF BERLIN OR ON THE ORIGIN OR NATURE OF ALLIED RIGHTS. AT THE SAME

TIME, REPS AGREED THAT IF WE ATTEMPTED ONCE MORE TO CITE
THE EVIDENCE IN SUPPORT OF OUR POSITION IT WOULD ALMOST
CERTAINLY PROVOKE ANOTHER AND SHARPER SOVIET REPLY.

4. BEGIN TEXT.

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INFO OCT-01 ISO-00 IO-10 SAJ-01 ACDA-05 CIAE-00 DODE-00

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 09577

WE HAVE THE HONOR TO REFER TO THE COMMUNICATION OF
MAY 13 OF THE PERMANENT MISSION OF THE UNION OF SOVIET
SOCIALIST REPUBLICS (DOCUMENT A/10084) CONCERNING THE
UNITED NATIONS DEMOGRAPHIC YEARBOOK.

THE GOVERNMENTS OF FRANCE, THE UNITED KINGDOM AND
THE UNITED STATES DO NOT ACCEPT THE ASSERTIONS CONTAINED
IN THE SOVIET NOTE ABOUT THE LEGAL STATUS OF BERLIN AND
ABOUT THE ORIGIN OR NATURE OF THE RIGHTS OF THE FOUR
POWERS. WE THEREFORE REAFFIRM THE TERMS OF THE LETTER
OF APRIL 14 (DOCUMENT A/10078) IN WHICH THE VIEWS OF
THE THREE GOVERNMENTS ARE SET OUT.

WE REQUEST YOU TO CIRCULATE THIS LETTER AS A
DOCUMENT OF THE GENERAL ASSEMBLY. END TEXT. (NOTE:
WE UNDERSTAND THAT MAY 12 IS THE DATE OF THE SOVIET
NOTE BUT UK HAS DATE OF MAY 13. PLEASE CLARIFY.)

5. ACTION REQUESTED: REQUEST DEPARTMENT APPROVE TEXT
PROVIDED PARA 2 ABOVE, AND CLARIFY DATE OF SOVIET LETTER.
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REGARDING MODALITIES, TEXT WOULD, AS IN PREVIOUS CASES,
BE SENT TO SECGEN AS JOINT LETTER FROM THREE ALLIED
UN PERM REPS.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, PUBLICATIONS, DIPLOMATIC COMMUNICATIONS, BERLIN QUADRIpartite MATTERS
Control Number: n/a
Copy: SINGLE
Draft Date: 13 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BONN09577
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750207-0074
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750650/aaaabsua.tel
Line Count: 186
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Review Comment: n/a
Review Content Flags:
Review Date: 15 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 APR 2003 by ElyME>; APPROVED <16 OCT 2003 by ellisoob>
Review Markings:

Margaret P. Grafeld
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06 JUL 2006

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Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006